

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Ofelio PEREZ-Galis

Case No.

3:19 mj 229

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 03/20/2019 in the county of Champaign in the Southern District of Ohio, the defendant(s) violated:

Code Section

8 USC 1326(a)

Offense Description

being an alien, that is, a citizen of Mexico who was ordered deported and removed from the United States on or about 10/22/2008, was found in Mechanicsburg, OH on 03/20/2019, without, prior to his re-entry and at a place outside the United States, obtaining the consent of the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States, in violation of section 8 USC 1326(a)

This criminal complaint is based on these facts:

see attached affidavit

☒ Continued on the attached sheet.



Complainant's signature

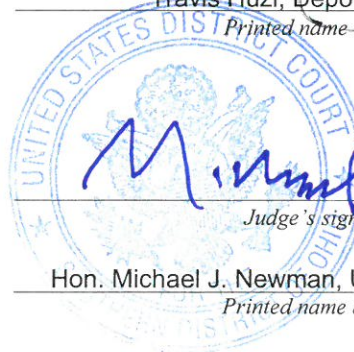
Travis Huzl, Deportation Officer

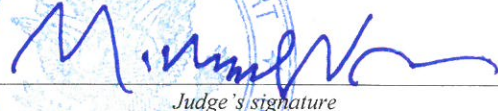
Printed name and title

Sworn to before me and signed in my presence.

Date: 04/18/2019

City and state: Dayton, OH





Judge's signature

Hon. Michael J. Newman, U.S. Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**IN THE MATTER OF  
THE CRIMINAL COMPLAINT OF:**

**Ofelio PEREZ-Galis**

**Case No.**

3:19-mj-00229-47

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

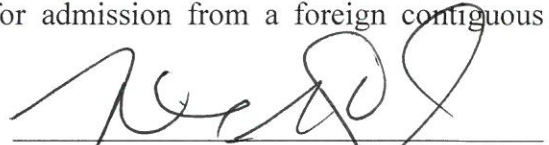
I, United States Immigration and Customs Enforcement (ICE) Deportation Officer Travis P. Huzl, being first duly sworn, depose and state as follows:

1. I am a Deportation Officer with more than nine years of experience as an Immigration Agent with the United States Immigration and Customs Enforcement (ICE). I am assigned to the Columbus, OH, Office of Enforcement and Removals. I have investigated both criminal and administrative matters involving aliens in the United States. I have successfully completed the Immigration Enforcement Agent course at the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia.
2. During the course of investigating Ofelio PEREZ-Galis, I have learned the following facts:
3. Ofelio PEREZ-Galis is a citizen and national of Mexico with no claim to United States citizenship. On or about October 22, 2008, PEREZ-Galis was ordered removed by an Immigration Judge in Cleveland, OH. On October 28, 2008, PEREZ-Galis was physically removed from the US to Mexico pursuant to this order at the Laredo, TX, Port of Entry. On that day, PEREZ-Galis surrendered his fingerprint and photo for Immigration Form I-205 (Warrant of Removal/Deportation) and signed the same. PEREZ-Galis's departure was witnessed by an Immigration Officer who documented the departure by way of signature on the Immigration Form I-205.
4. On or about November 1, 2008, PEREZ-Galis was encountered by immigration officials near Nogales, Arizona. PEREZ-Galis's prior order of removal from October 22, 2008 was then reinstated. On November 1, 2008, PEREZ-Galis was removed from the United States to Mexico from the Nogales, Arizona Port of Entry.
5. On March 20, 2019, PEREZ-Galis was encountered by ICE officials at the Tri-County Jail in Mechanicsburg, OH. PEREZ-Galis was arrested and convicted for Domestic Violence and turned over to ICE after he was finished with his local charges. It was determined after a verification of fingerprints that PEREZ-Galis had previously been ordered removed from the United States and that PEREZ-Galis is

subject to prosecution for illegal re-entry, being found in the United States after being barred from legal re-entry for a period of twenty years.

6. Biometric and records checks confirmed that PEREZ-Galis did not receive permission from the Attorney General of the United States, or the Secretary of the United States Department of Homeland Security, for this re-entry into the United States.

Your Affiant submits that the foregoing facts establish probable cause that PEREZ-Galis has committed a violation of 8 U.S.C. § 1326(a), being an alien who: (1) has been denied admission, excluded, deported, or removed, or has departed the U.S. while an order of exclusion, deportation or removal is outstanding; (2) thereafter entered, attempted to enter, or at any time was found in the U.S.; and (3) did not have consent from the Attorney General to reapply for admission to the U.S. prior to either his re-embarkation at a place outside the U.S. or his application for admission from a foreign contiguous territory.

  
Travis P. Huzl  
Deportation Officer  
Immigration and Customs Enforcement

Sworn before me and subscribed in my presence on this 18<sup>th</sup> day of April 2019.

  
Hon. Michael J. Newman  
UNITED STATES MAGISTRATE JUDGE

